

**REMARKS**

Claims 1-36 are pending in this application. By the Office Action, claims 1-5, 7-13, 16-21, 25-31, 33, and 35 are rejected under 35 U.S.C. §102, and claims 1-36 are rejected under 35 U.S.C. §103. By this Amendment, claims 1, 12, 15, 16, 20, 21, 30, 33, 34, 35, and 36 are amended to further clarify the subject matter being claimed. Support for the amendments to the claims may be found, for example, on page 4, lines 13 and 14, of the present specification. Thus, no new matter is added by the above amendments. In view of at least the following, reconsideration and allowance are respectfully requested.

Entry of the amendments is proper under 37 C.F.R. §1.116 because the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments amplify issues previously discussed throughout prosecution); (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

**Rejections Under 35 U.S.C. §102/103**

The Office Action rejects claims 1-5, 7-13, 16-21, 25-31, 33, and 35 under 35 U.S.C. §102(b) and 103(a) as allegedly being anticipated or unpatentable over Hutton et al. (U.S. Patent No. 4,033,059, hereinafter "Hutton"). Applicants respectfully traverse the rejections, asserting that Hutton fails to disclose or to have rendered obvious all of the elements of the claimed invention.

Without agreeing with or acquiescing to the rejections, Applicants note that the claims have been amended to recite a security device comprising a substrate having a "specularly

reflective metallic surface extending between the lines," as recited in claims 1 (and similarly recited in claims 30 and 34). The recited specularly reflective metallic surface (in independent claims 1, 30, and 34) is purely specularly reflective, and does not reflect in a diffusive manner. As noted in Applicants' response to the previous Office Action, "specular reflection" is defined as an incident light beam that is reflected from the surface as a *single* beam at the same angle of reflection as its angle of incidence, whereas "diffuse reflection" causes an incident light beam to be reflected in a *diffuse manner in many directions*.

In contrast to the recited "specularly reflective metallic surface" of the security devices of claims 1, 30, and 34, there is nothing in Hutton that discloses the recited security device comprising a substrate having a specularly reflective metallic surface. Rather, Hutton discloses substrates that at most reflect in a diffusive manner, if they reflect light. This is apparent from the description of the appearance of the devices disclosed in Hutton, when these devices are viewed at a perpendicular angle. Specifically, Hutton teaches that "[w]hen viewed in a direction normal to the imprinted surface paper 31, there is substantially no visually detectable contrast between the image 32 and background 36..." (*see* Hutton, col. 13, lines 14-17). This appears to apply to all of the exemplary embodiments disclosed in Hutton. For example, the aforementioned absence of visually detectable contrast between the image and background is noted in the discussion of Figure 5 in column 12, lines 34-41, of Hutton:

The width and spacing of the background-forming lines 37 correspond to the width and spacing of the image-forming lines 33 so that the image and background portions of the imprint exhibit the same tone as seen from a normal angle of view; consequently, from that angle, the image blends with and is not readily distinguishable visually from the background. (emphasis added)

The fact that there is no contrast between the image and the background indicates that the raised lines in Hutton are provided on an essentially diffuse surface, whereas the recited

"specularly reflective metallic surface" is purely specularly reflective and does not reflect in a diffusive manner.

Although the Office Action asserts that the surface in Hutton exhibits some specular reflection, the above sections of Hutton contradict this assertion, or at least indicate that any such reflection is trivial or *de minimis* at best. In contrast to the substrates disclosed in Hutton, in the recited security device of independent claims 1, 30, and 34, there is a high level of reflection from areas of the metallic surface between the raised lines. Thus, Applicants submit that, when viewed at a perpendicular (or normal) angle, the recited security device presents a completely different visual effect, in contrast to the substrates disclosed in Hutton. The substrates disclosed in Hutton present a region devoid of contrast, whereas the claimed security device and the claimed method of manufacturing the claimed security device provide clearly visible segments, due to the recited substrate (in claims 1, 30, and 34) having a specularly reflective metallic surface.

For at least this reason, Applicants submit that Hutton fails to disclose each and every element of claims 1-5, 7-13, 16-21, 25-31, 33, and 35, as required for anticipation under 35 U.S.C. §102(b). Furthermore, Applicants submit that Hutton fails to have suggested or to have rendered obvious all of the elements of claims 1-5, 7-13, 16-21, 25-31, 33, and 35, as required for obviousness under 35 U.S.C. §103(a). Hutton thus does not anticipate and would not have rendered obvious claims 1-5, 7-13, 16-21, 25-31, 33, and 35. Reconsideration and withdrawal of the rejections are respectfully requested.

### **Rejections Under 35 U.S.C. §103**

The Office Action rejects claim 6 under 35 U.S.C. §103(a) as being unpatentable over Hutton in view of Bayha (U.S. Patent No. 3,471,172, hereinafter "Bayha"); claims 14 and 15 under 35 U.S.C. §103(a) as being unpatentable over Hutton in view of Adamczyk (U.S.

Patent Application Publication No. 2004/0025728, hereinafter "Adamczyk"); claims 22-24 and 32 under 35 U.S.C. §103(a) as being unpatentable over Hutton in view of Meyer et al. (U.S. Patent Application Publication No. 2003/0145747, hereinafter "Meyer"); claims 27 and 28 under 35 U.S.C. §103(a) as being unpatentable over Hutton in view of Heckenkamp et al. (U.S. Patent No. 5,433,807, hereinafter "Heckenkamp"). Applicants respectfully traverse the rejections.

For the reasons set forth above, Applicants submit that Hutton fails to disclose, and likewise fails to teach or suggest or establish any reason or rationale to provide all of the elements of independent claims 1, 30, and 34. Applicants submit that Bayha, Adamczyk, Meyer, and Heckenkamp fail to cure the aforementioned deficiencies of Hutton. Therefore, Applicants submit that Hutton, Bayha, Adamczyk, Meyer, and Heckenkamp (either alone or in any proper combination) fail to disclose or to have rendered obvious all of the elements of the claimed invention, as recited in claims 1, 30, and 34, from which the rejected claims depend.

The cited references thus would not have rendered obvious the claimed invention. Reconsideration and withdrawal of the rejections are respectfully requested.

**Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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